

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

JOSEPH STEVENS & COMPANY, INC.,	)	
Plaintiff,	)	
v.	)	No. 08 C 706
	)	
DAVID CIKANEK,	)	Hon. Amy St. Eve
Defendant,	)	
	)	
and CITIBANK, N.A.,	)	
as Citation Respondent.	)	

**CITIBANK N.A.'S MOTION TO FILE AMENDED RESPONSE IN  
OPPOSITION TO CIKANEK'S PETITION FOR TURNOVER ORDER**

1. On August 20, 2008, David Cikanek filed a Petition for Turnover Order to direct Citibank, N.A. to turn over funds in the Citibank account of Joseph Stevens & Co., Inc. to Cikanek.

2. On August 26, 2008, this Court held a hearing and ordered Citibank to file a Response to Cikanek's petition by September 9, 2009 and for Cikanek to file a Reply by September 16, 2008.

3. On September 9, 2009, Citibank filed its Response. Citibank, however, mistakenly failed to include in its Response a legal argument involving Article 9 of the Uniform Commercial Code. In its Response, Citibank's legal argument was limited to New York law involving debtor-creditor relationships.

4. Citibank moves the Court to allow it to file its Amended Response, which includes a brief argument regarding Article 9 of the U.C.C. The Amended Response is attached as Exhibit A.

5. Citibank further requests the Court to extend Cikanek's time to file a Reply to and including September 26, 2008.

Respectfully submitted,

**CITIBANK, N.A.**

By: /s/ Scott P. Clair  
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**CERTIFICATE OF SERVICE**

I hereby certify that on September 12, 2008, a copy of the foregoing Notice was filed electronically with the Clerk of the Court in the United States District Court for the Northern District of Illinois using the CM/ECF electronic filing system. Notice of this filing will be sent to the following CM/ECF registered parties by operation of the Court's electronic filing system:

Leslie A. Blau  
BLAU & MALFELDT

Renan I. Sargarman  
LAW OFFICE OF RENAN SUGARMAN, P.C.

/s/ Scott P. Clair